

**EXHIBIT 18**

**Declaration of Christopher Higgins**

**WITNESS STATEMENT OF CHRISTOPHER HIGGINS**

1. My name is Christopher Higgins. I reside at 1105 Harrison Ridge Road, Wake Forest, North Carolina 27587. I have lived in North Carolina since 2015.
2. I am employed with a law enforcement agency in North Carolina. Prior to moving to North Carolina, I was employed with the New York City Police Department.
3. On March 28, 2019, I was a passenger aboard Frontier Airlines Flight 2067 from Raleigh-Durham International Airport in North Carolina to McCarran International Airport in Las Vegas, Nevada. I was seated in seat 20D, which is an aisle seat on the right side of the plane.
4. The cabin crew for the flight consisted of one male flight attendant and three female flight attendants. Roughly three hours after takeoff, I observed the flight attendants going through the aisle collecting trash from passengers. The male flight attendant collected trash from me. At that point in the flight, the lights had been dimmed to their lowest setting and some passengers were asleep. The couple seated next to me in seats 20E and 20F were asleep.
5. About ten minutes later, I observed the male flight attendant go to the front of the plane and speak with the other flight attendants. He then walked directly back to me and told me that he might need my assistance because two passengers needed to be separated, and that I might need to move to a different seat. I told him that would be fine with me.
6. The male flight attendant then walked to the rear of the plane. I recall looking forward and seeing the co-pilot hanging out in the front galley area of the plane, outside of the cockpit. The next thing I recall is that the male flight attendant walked from the rear of the plane forward, and he stopped at a row that was five or six rows ahead of me, on the right side of the plane. He then made a motion with his hand to a flight attendant in the rear of the plane.
7. I then saw the male flight attendant wake up the passenger in the aisle seat of the row where he had stopped, five or six rows in front of me, and the male flight attendant asked the aisle seat passenger to stand up. The aisle seat passenger was a white male in his 20s or early 30s. The aisle seat passenger woke up, stood, and moved around the male flight attendant toward the front of the plane, so that he was standing behind the flight attendant. I then saw the male flight attendant brace his left arm against the back of the seat that was in front of the seat the aisle seat passenger had just vacated, and the male flight attendant then moved toward the middle seat passenger to wake him also. I could see the top of the middle seat passenger's head, and it appeared to me that he was asleep. The male flight attendant used his right arm to wake the passenger, but from my vantage point, I could not see his hand make contact with the middle seat passenger's body. I then saw the middle seat passenger stand and move out of the row into the aisle. He was a middle aged white male with salt and pepper hair, partially bald, wearing glasses. After the middle seat passenger moved out of the row, I saw the male flight attendant move toward the window seat passenger, who was also asleep, to wake him. The window seat passenger woke up, stood, and moved out of the row. He was a young black male, who appeared to me at the time to be 15 or 16 years old.

8. The male flight attendant then told the window seat passenger to walk to the back of the plane. I watched as the black youth walked in my direction, and noticed that he had socks on his feet but no shoes. I do not recall what type of pants he had on. The male flight attendant walked just behind him. As they passed my row, the male flight attendant said to me, "Okay, you can come with me now." I collected my belongings and followed him to the last row on the right side of the plane (the same side I had been sitting on), which was empty. The male flight attendant instructed the black youth to sit in the window seat of the last row, and the black youth complied. The male flight attendant told me to sit in the aisle seat of that row, which left an empty middle seat between me and the black youth.

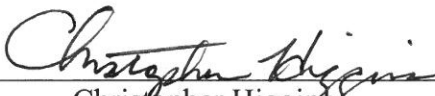
9. A few minutes later, the middle seat passenger walked back toward the row where I was seated with the black youth. The male flight attendant came forward from the rear galley area and blocked his path. The middle seat passenger said that the black youth is his son and that he wanted to speak to him because he was scared. The male flight attendant would not let the middle seat passenger move any further toward the row where I and the black youth were seated. The middle seat passenger then spoke to the black youth from where he was standing, using an affectionate term and telling the youth that "everything's going to be fine" and that "we'll get this cleared up when we land in Las Vegas." The flight attendant then ordered the middle seat passenger to return to his seat, and the middle seat passenger complied.

10. When the plane landed in Las Vegas, the male flight attendant walked toward the front of the plane. There were two female flight attendants at the rear of the plane, and I asked them what had happened and why they had selected me to sit in the same row with the black youth. One of them responded to me, stating that another flight attendant had seen "that someone's hand was in someone's crotch." She also said that they had been looking for an able-bodied passenger to assist them with separating the black youth from the older man. None of the flight attendants asked me for my name.

11. As I was leaving the plane, I saw two uniformed law enforcement officers enter the plane and begin questioning the flight crew in the front of the plane. I also observed the middle seat passenger in the gate area, with three or four law enforcement officers around him. The law enforcement officers and the man walked behind me as I headed to the monorail train that connects the terminal to the baggage claim area. They took the same train that I did, but they rode in a different car. When the train stopped, I headed to the baggage claim area and they headed in a different direction. I did not see them again after that.

I verify under penalty of perjury that the foregoing is true and correct.

Executed on March 12, 2020.

  
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Christopher Higgins